

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

UNITED STATES OF AMERICA)
)
)
v.)
)
MICHAEL EARL TYLER,) CRIMINAL NO. 5:07cr17DCB-JCS
CHARLES EDWARD PRICE,)
KEAFUR WALLACE,)
KENNY T. TYLER,)
JOHN H. DILLARD,)
TOMMIE L. SHEPPERD,)
CADIE MAE BUNCH,)
LARRY D. JONES, and)
CHRISTOPHER SHAUN WALKER)
Defendants)

ORDER

THIS MATTER comes before the Court on the motion of the United States for an Order authorizing the United States and its agencies to maintain custody of certain property pending the conclusion of criminal forfeiture proceedings in this case.

WHEREAS, the property in question includes the following:

\$10,300 U. S. Currency

WHEREAS, the seized asset is already in the lawful custody of the United States;

WHEREAS, the Government has stated that it intends to maintain and preserve the seized asset for criminal forfeiture;

WHEREAS, 18 U.S.C. §983(a)(3)(B)(ii)(II) requires that the Government, to maintain custody for criminal forfeiture of civilly seized, and administratively claimed, property as to which the Government wishes to preserve the option of civil judicial forfeiture, must take steps to preserve the property under 21 U.S.C. §853; and

WHEREAS, Section 853(e)(1) authorizes the Court to take any action necessary to preserve the availability of property for forfeiture.

WHEREFORE, IT IS HEREBY ORDERED that the United States and its agencies, including DEA and the U. S. Marshals Service, are authorized to maintain and preserve the seized asset until the conclusion of this case, pending further Order of this Court,

AND IT IS FURTHER ORDERED, that this Order satisfies the requirement of 18 U.S.C. § 983(a)(3)(B)(ii)(II) as to the administratively claimed asset.

SO ORDERED AND ADJUDGED this the 26th day of July, 2007.

s/ David Bramlette
UNITED STATES DISTRICT JUDGE